IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

AR.No. 6 of 2007()

APPLICANT:

M/S. SURYA CONSTRUCTIONS, PALACE ARCADE,
STATUE JUNCTION, TRIPUNITHURA - 682 301,
A REGISTERED PARTNERSHIP, REPRESENTED BY ITS
MANAGING PARTNER, MATHEW KALARICKAL, KALARICKAL
HOUSE, KIZHAKKAMBALAM VILLAGE & P.O.,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.K.BABU THOMAS
SMT.MARYKUTTY BABU

RESPONDENTS:
---

1. UNION OF INDIA, REPRESENTED BY THE
GENERAL MANAGER, SOUTHERN RAILWAY, SOUTHERN
RAILWAY HEAD QUARTERS OFFICE, CHENNAI - 600 003.

2. THE CHIEF ENGINEER,
SOUTHERN RAILWAY (CONSTRUCTION), THYCAUD P.O.,
THIRUVANANTHAPURAM - 14.

3. THE DEPUTY CHIEF ENGINEER,
SOUTHERN RAILWAY (CONSTRUCTION) ERNAKULAM.

BY ADV. SRI.ALEXANDER THOMAS, SC,RAILWAYS

THIS ARBITRATION REQUEST HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN, Ag.C.J.

A.R. No. 6 of 2007

Dated this the 14th day of May, 2007.

ORDER

Heard learned counsel on either side.

2. As per the arbitration clause three Arbitrators have to be appointed to resolve the dispute between the parties. The applicant has produced a penal of three persons and the Standing Counsel for Railways has produced a panel of four persons.

3. In the circumstances, I am inclined to appoint Sri.P.K.Mishra, Chief Planning and Development Engineer, Southern Railway, Park Town P.O., Chennai-600 003, Sri.Umesh Kumar Varine, Chief Engineer (Track Machine), Southern Railway, Park Town P.O., Channai-600 003 and Sri.Narayan Onkar, Deputy Financial Advisor and Chief Accounts Officer/Construction, Egmore, Channai as Arbitrators for resolving the dispute between the parties.

The Arbitration Request is disposed of accordingly. Copy of the agreement produced by the applicant be returned.

K.S.RADHAKRISHNAN,
Ag. Chief Justice.

vns.